

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL NO. . 05-10136-RGS

MARK NUTTER

ORDER SETTING CASE FOR TRIAL

STEARNS, DJ.

JANUARY 19, 2006

THE ABOVE-CAPTIONED CASE IS SCHEDULED FOR TRIAL IN COURTROOM #21
7TH FLOOR, UNITED STATES COURTHOUSE, BOSTON, MA ON **TUESDAY, MAY 30, 2006** AT
9:00 A.M.

ON OR BEFORE **MAY 22, 2006** COUNSEL FOR THE PARTIES SHALL FILE,
JOINTLY OR SEPARATELY, THE FOLLOWING MATERIALS WITH THE COURT:

- (1) ANY STIPULATED OR ADMITTED FACTS IN A FORM SUITABLE FOR PRESENTATION TO THE JURY;
- (2) A LIST OF PROSPECTIVE GOVERNMENT WITNESSES, IDENTIFIED BY CITY OR TOWN OF RESIDENCE, OR BY AN INSTITUTIONAL ADDRESS, AND THE NAME OF THE CASE AGENT, IF ANY, WHO IS TO SIT AT GOVERNMENT COUNSEL TABLE;
- (3) A LIST OF PROSPECTIVE ALIBI WITNESSES AND ANY OTHER WITNESSES DEFENDANT(S) WISH BROUGHT TO THE ATTENTION OF THE JURY DURING VOIR DIRE, IDENTIFIED BY CITY OR TOWN OF RESIDENCE, OR BY AN INSTITUTIONAL ADDRESS;
- (4) A STATEMENT OF THE QUALIFICATIONS OF ANY GOVERNMENT EXPERT WITNESS, AND ANY SUMMARY OF TESTIMONY PRODUCED PURSUANT TO FED. R. CRIM. P. 16(a)(1)(E) AND ANY RECIPROCAL DISCLOSURE PRODUCED BY THE DEFENDANT(S) PURSUANT TO FED. R. CRIM. P. 16(b)(1)(C);
- (5) A LIST OF GOVERNMENT EXHIBITS TO BE INTRODUCED AT TRIAL. THE EXHIBITS ARE TO BE PRE-MARKED IN A NUMERICAL SEQUENCE AND LABELED "GOVERNMENT EXHIBIT";
- (6) A LIST OF DEFENSE EXHIBITS TO BE OFFERED AT TRIAL. THE EXHIBITS ARE TO BE PRE-MARKED IN A NUMERICAL SEQUENCE AND LABELED "DEFENDANT EXHIBIT";
- (7) ANY MOTIONS IN LIMINE OR OTHER REQUESTS REGARDING FORESEEABLE DISPUTES CONCERNING EVIDENTIARY ISSUES, INCLUDING AUTHORITY FOR THE RULING REQUESTED;
- (8) A TRIAL MEMORANDUM ADDRESSING THOSE ITEMS AS TO WHICH THERE ARE FORESEEABLE DISPUTES CONCERNING ISSUES OF LAW;
- (9) AN INFORMED ESTIMATE OF THE PROBABLE LENGTH OF THE TRIAL

- (BASED ON A TRIAL SCHEDULE OF 9:00 A.M. TO 1:00 P.M. DAILY);
- (10) REQUESTS FOR JURY INSTRUCTIONS WITH CITATION TO SUPPORTING AUTHORITY;
 - (11) ANY PROPOSED QUESTIONS FOR THE VOIR DIRE EXAMINATION;
 - (12) ANY REQUEST TO USE SPECIAL AUDIO-VISUAL OR OTHER ELECTRONIC EQUIPMENT DURING THE TRIAL.

SO ORDERED.

RICHARD G. STEARNS
UNITED STATES DISTRICT JUDGE

BY:

/s/ Mary H. Johnson
Deputy Clerk

DATED: **1-19-06**

A "FINAL PRE-TRIAL CONFERENCE" WITH THE COURT WILL BE HELD ON:

THURSDAY, MAY 25, 2006 AT 3:45 P.M.

/s/ Mary H. Johnson
Deputy Clerk